



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

February 2, 2023

Via ECF

The Honorable Vernon S. Broderick
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *The New York Times Company v. FBI*, No. 22 Civ. 6589 (VSB) (S.D.N.Y.)

Dear Judge Broderick:

This Office represents the Federal Bureau of Investigation (the “FBI”) in the above-referenced case brought by plaintiff The New York Times Company pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. I write respectfully on behalf of both parties pursuant to the Court’s order dated October 6, 2022, to provide the Court with an update on this matter.

As explained in our prior status report, the FBI identified approximately 1,400 pages of records potentially responsive to The New York Times Company’s FOIA request, which it is processing at a rate of five hundred pages per month. The FBI made its first production to The New York Times Company on January 31, 2023.¹ The FBI intends to continue processing records at a rate of five hundred pages per month and to make additional productions at the end of February and March, at which time the FBI expects that productions will be complete. Thereafter, The New York Times intends to review the FBI’s productions and the parties will confer about next steps.

To facilitate this process, the parties respectfully request that the Court permit us to file a status report by March 15, 2023, to update the Court on whether any disputes have arisen that require the Court’s attention.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/ Zachary Bannon
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¹ In the parties’ last status report, the FBI indicated that it would make its first disclosure on January 15, 2023. The FBI was unable to meet that deadline and The New York Times Company consented to a January 31, 2023 release date.